

By Senator Posey

24-18-03

1 A bill to be entitled
2 An act relating to the Indian River County
3 School Board; providing for the relief of
4 Taylor Rosemond, a minor, and her parents and
5 natural guardians, Alvin and Shirley Rosemond,
6 for injuries sustained due to the negligence of
7 the Indian River County School Board; providing
8 for the use of such funds; providing an
9 effective date.

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11 WHEREAS, on January 25, 1999, 7-year-old Taylor
12 Rosemond was a passenger on a school bus owned by the Indian
13 River County School Board and operated by its employee,
14 Deborah Colletti, and

15 WHEREAS, Deborah Colletti failed to stop at a stop sign
16 located at the intersection of 45th Street and 66th Avenue in
17 Indian River County, which failure caused the bus to collide
18 with a tractor-trailer traveling on 66th Avenue, resulting in
19 injuries to Taylor Rosemond and 15 other children and the
20 deaths of two other persons, and

21 WHEREAS, Deborah Colletti was cited with failure to
22 obey a traffic-control device and failure to yield the
23 right-of-way, and

24 WHEREAS, Taylor Rosemond was taken by ambulance to a
25 local hospital and thence airlifted to Arnold Palmer
26 Children's Hospital in Orlando, and

27 WHEREAS, Taylor Rosemond was diagnosed with a lacerated
28 kidney, bruised liver, and right renal laceration, and

29 WHEREAS, Taylor Rosemond's injuries resulting from the
30 negligence of the school bus operator have caused her bodily
31 injury and permanent pain and suffering, disability,

1 disfigurement, mental anguish, loss of capacity for the
2 enjoyment of life, hospitalization expenses, nursing care
3 expenses, medical expenses, loss of earnings and capacity to
4 earn, and aggravation of previously existing conditions, and

5 WHEREAS, Taylor Rosemond's injuries have caused her
6 parents lost income, permanent loss of support and services,
7 and expenses for medical care, psychiatric care,
8 hospitalization care, and nursing care for their daughter, and

9 WHEREAS, suit was filed in Indian River County
10 following the collision, and prior to trial the case was
11 settled in the amount of \$60,000, and

12 WHEREAS, the Indian River County School Board has
13 agreed to support this claim bill, NOW, THEREFORE,

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. The facts stated in the preamble to this
18 act are found and declared to be true.

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20 Section 2. The Indian River County School Board is
21 authorized and directed to compensate Alvin and Shirley
22 Rosemond, the parents and natural guardians of Taylor
23 Rosemond, in the amount of \$50,000 for the benefit of Taylor
24 Rosemond, out of funds of the Indian River County School Board
25 not otherwise appropriated. The funds designated for the
26 benefit of Taylor Rosemond shall be used to pay statutory
27 fees, costs, and outstanding medical liens, and to pay for her
28 other immediate needs, and the remaining funds shall be placed
29 into a special need trust created for the use and benefit of
30 Taylor Rosemond. Any funds remaining in the special needs
31 trust at Taylor Rosemond's death, after payment of any

1 outstanding medical liens, shall revert to the Indian River
2 School Board.

3 Section 3. This act shall take effect upon becoming a
4 law.

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